

ORDINANCE NO. 15.02

AN ORDINANCE AMENDING CHAPTER 14, ARTICLES I, II AND III OF
THE MOUNTAIN VIEW CITY CODE, RELATING TO THE ADOPTION OF THE
2000 UNIFORM FIRE CODE

WHEREAS, a local entity such as the City of Mountain View must adopt the Uniform Fire Code prior to November 1, 2002 if the local agency desires to maintain local control and allow for amendments to the Uniform Fire Code in order to accommodate local requirements for local conditions; and

WHEREAS, the City of Mountain View has local conditions which require amendments to the Uniform Fire Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 14.1 of Article I of Chapter 14 of the Mountain View City Code is hereby amended to read as follows:

SEC. 14.1. Adoption of Uniform Fire Code.

The City hereby adopts for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Uniform Fire Code, including Appendix Chapters I-C, II-A, II-B, II-C, II-I, III-AA, III-B, III-BB, III-C, III-D, IV-A, IV-B, V-A, VI-A, VI-B, VI-C, VI-D, VI-E, VI-F, VI-G, VI-H, VI-I, VI-J and VI-K, of the Uniform Fire Code standards published by the Western Fire Chiefs Association, being particularly the 2000 Edition thereof and the whole thereof, save and except such portions as are hereinafter changed, deleted, modified or amended for nonstate-regulated occupancies as defined in California Fire Code Section 101.3. A copy of said code has been and is now filed in the office of the fire marshal of the City of Mountain View, and the same, as amended herein, is hereby adopted by reference and incorporated as fully as if set out at length herein, and from the date on which this Section shall take effect, the provisions thereof shall be controlling within the limits of the City of Mountain View. (Ord. No. 8.70, 3/30/70; Ord. No. 26.77, 3/28/77; Ord. No. 24.83, 12/13/83; Ord. No. 9.90, 3/13/90; Ord. No. 16.92, 6/9/92; Ord. No. 23.95, 11/28/95; Ord. No. 8.99, 5/25/99.)

Section 2. Section 14.1.1 of Article I of Chapter 14 of the Mountain View City Code is hereby amended to read as follows:

SEC. 14.1.1. Definitions.

- a. Wherever the word "municipality" is used in the Uniform Fire Code, it shall mean the city.
- b. Wherever the term "corporation counsel" is used in the Uniform Fire Code, it shall mean the city attorney.
- c. Fire prevention bureau includes those employees of the fire department who have the duty of enforcing this code in accordance with and pursuant to California Penal Code Sections 836.5 and 853.6, to arrest persons for violations of such ordinances or statutes and issue notice to appear citations as provided by law. Within the

Mountain View city limits, this term shall refer to the fire prevention personnel, hazardous materials personnel, fire marshal and other fire department personnel so designated by the fire chief. (Ord. 8.70, 3/30/70; Ord. No. 23.95, 11/28/95.)

Section 3. Section 14.2 of Article I of Chapter 14 of the Mountain View City Code is hereby amended to read as follows:

SEC. 14.2. Section 101.2 amended.

Article 1, Section 101.2 of the Uniform Fire Code is amended to read as follows:

Sec. 101.2. Community fire protection element. The city of Mountain View has developed a "Community Fire Protection Element" which sets forth the levels of fire protection the city plans to provide. The adoption of this code is reflection of said levels of protection of "built-in" fire protection equipment which shall be required in order to provide an adequate level of fire protection to the community at a reasonable cost. Anyone constructing or using properties or processes or engaging in other activities which constitute a potentially higher demand on fire department staffing requirements than are planned for may be required to install automatic fire extinguishing systems, fire protection equipment or such other safeguards that will make it possible to provide an adequate fire protection service with the city's normal fire department capability. (Ord. No. 23.95, 11/28/95; Ord. No. 8.99, 5/25/99.)

*** Editor's Note:** Ord. No. 23.95, 11/28/95, divided the former Section 14.2 into many separate sections. The history note for the former Section 14.2 was (Ord. No. 20.72, 7/10/72; Ord. No. 21.72, 7/10/72; Ord. No. 26.75, 7/14/75; Ord. No. 26.77, 3/28/77; Ord. No. 20.79, 5/14/79; Ord. No. 15.80, 6/9/80; Ord. No. 1.81, 4/27/81; Ord. No. 9.90, 3/13/90; Ord. No. 24.91, 12/10/91; Ord. No. 16.92, 6/9/92.).

SEC. 14.3. Article 1, Section 101.6 amended.

Section 101.6 of the Uniform Fire Code is amended to read as follows:

101.6 Conflicting Provisions. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where there is a conflict between requirements in this code and requirements in other local, state or federal laws, regulations or ordinances, the more restrictive shall be applicable.

Section 4. Section 14.2.1 of Article I of Chapter 14 of the Mountain View City Code is hereby amended to read as follows:

SEC. 14.2.1. Article 1, Section 105 amended—Permits.

Tables 105-A, 105-B and 105-C of the Uniform Fire Code are deleted.

Section 105.8.c.7 of the Uniform Fire Code is amended to read:

Compressed gases. To store, use or handle at normal temperatures and pressures compressed gases in excess of the amounts listed in Tables 8001.15-A; 8001.15-B; 8001.15-C; and 8001.15-D, to install any piped distribution system for compressed gases or to install a nonflammable medical gas manifold system. A permit is required to install, repair, abandon, remove, place temporarily out of service, close or substantially modify a compressed gas system, except for routine maintenance.

A permit application for approval to close storage, use or handling facilities must be filed at least 30 days prior to the termination of the storage, use or handling of

compressed or liquefied gases. Such application shall include any change or alteration of the facility closure plan filed pursuant to Section 8001.13. This 30-day period may be waived by the fire chief if there are special circumstances requiring such waiver. Emergency repair work requires a permit and application for such permit shall be filed within two working days of commencement of work.

Section 105.8.c.9 of the Uniform Fire Code is amended to read:

Cryogenics. Except where federal or state regulations apply and except for fuel systems of the vehicle to produce, store or handle cryogenics in excess of the amounts listed in Tables 8001.15-A; 8001.15-B; 8001.15-C; and 8001.15-D, or to install a cryogenic vessel or piping system for the storage or distribution of cryogenics.

Section 105.8.f.3.2 of the Uniform Fire Code is deleted.

Section 105.8.f.3.3 of the Uniform Fire Code is deleted.

Section 105.8.h of the Uniform Fire Code is amended by adding Subsection 105.8.h.2.1 to read as follows:

h.2.1. **High rises.** High rise buildings as defined in Title 19 CAC and Health and Safety Code Section 13210.

Section 105.8.l of the Uniform Fire Code is amended by adding Subsection 105.8.l.0.5 to read as follows:

l.0.5. **Licensed facilities.** Licensed facilities including community care, residential care for the elderly and child day care.

Section 5. Section 14.2.3 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.2.3. Article 9, Section 901.4. amended.

Section 901.4.3 of the Uniform Fire Code is amended to read as follows:

901.4.3. **Fire-protection equipment and fire hydrants.** Fire-protection equipment and fire hydrants shall be clearly identified in an approved manner to prevent obstruction by parking and other obstructions. Fire Department Connections (FDCs) and control valves shall also be identified by their function and occupanc(ies)/address(es) they serve.

When required by the fire chief, hydrant locations shall be identified by installation of reflective markers.

Section 901.4.4 of the Uniform Fire Code is amended to read as follows:

901.4.4. **Premises identification.** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of six inches (6) in height.

Section 6. Section 14.2.4 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.2.4. Article 9, Section 902.2.2 amended.

Section 902.2.2.1 of the Uniform Fire Code is amended to read as follows:

902.2.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than twenty (20) feet (6096 mm) and an unobstructed vertical clearance of not less than thirteen 13 feet 6 inches (4,115 mm). Unobstructed width shall mean a clear travelway, excluding parking width and designed for emergency vehicle weight. It shall not include the width of rolled curbs, sidewalks or nondrivable surfaces.

EXCEPTIONS:

1. Unobstructed width may be reduced to eighteen (18) feet provided all structures served by the modified access road are protected by an approved automatic fire sprinkler system.

2. Vertical clearance may be reduced provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.

Vertical clearances or widths shall be increased when, in the opinion of the fire chief, vertical clearances or widths are not adequate to provide fire apparatus access.

Section 902.2.2.3 of the Uniform Fire Code is amended to read as follows:

902.2.2.3 Turning Radius. The turning radius of a fire apparatus access road shall be as described in the city of Mountain View fire department's "Standard Details and Specifications for Fire Apparatus Turnaround Access."

EXCEPTION:

When the turning radius does not meet the city of Mountain View fire department's "Standard Details and Specifications for Fire Apparatus Turnaround Access," all structures located more than one hundred fifty (150) feet away from the nearest compliant turnaround and served by the fire apparatus access road shall be protected by an approved fire sprinkler system.

Section 902.2.2.4 of the Uniform Fire Code is amended to read as follows:

902.2.2.4 Dead Ends. Dead-end fire apparatus access roads in excess of one hundred fifty (150) feet (45,720 mm) in length shall be provided with approved provisions for the turning around of fire apparatus. Approved provisions shall mean turnarounds as described in the city of Mountain View fire department's "Standard Details and Specifications for Fire Apparatus Turnaround Access."

EXCEPTION:

When turnaround provisions do not comply with Section 902.2.2.3 on fire apparatus access roads exceeding one hundred fifty (150) feet, all structures located more than one hundred fifty (150) feet away from the nearest compliant turnaround and served by the fire apparatus access road shall be protected by an approved automatic fire sprinkler system.

Section 7. Section 14.2.5 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.2.5. Article 10, Section 1001.5.1. amended.

Section 1001.5.1 of the Uniform Fire Code is amended by adding Subsections 1001.5.1.3 and 1001.5.1.4 to read as follows:

1001.5.1.3 Fire alarm and detection systems installed prior to the adoption of this code shall be maintained per NFPA 72 regardless if said system was a requirement at the time of installation.

Fire alarm and detection systems in multi-family (R-1) occupancies that were required under a previous ordinance shall have their use continued or removed and provided with AC-wired single-station (local alarm) smoke detectors with battery backup. Detectors shall be located in all areas giving access to rooms used for sleeping purposes. Sleeping rooms located above floors shall have a smoke detector at the top of the stairs and/or on each stair landing.

Section 1001.5.1 of the Uniform Fire Code is amended by adding a new Subsection 1001.5.1.4 to read as follows:

1001.5.1.4 Multi-family (R-1) occupancies with interior exit corridors that were built prior to 1983 and who failed to install thermal detection systems per Ordinance 15.80, Section 13.307(b), shall have their use terminated or shall comply within a reasonable time frame set forth by the fire marshal.

Section 8. Section 14.3 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.3. Article 10, Section 1003.2.1 amended.

Article 10, Section 1003.2.1 of the Uniform Fire Code is amended to read as follows:

1003.2.1. Automatic sprinkler systems. An automatic fire-extinguishing system shall be installed in the occupancies and locations as set forth in Section 1003.2. For provisions on special hazards and hazardous materials, see Section 1001.9 and Articles 79.80 and 81.

1003.2.1.1. Standard automatic sprinkler systems shall be installed throughout all buildings five thousand (5,000) or more square feet in area as calculated herein. The chief of the fire department may impose the requirement for automatic sprinkler systems set forth in this section when, in his opinion, the design or construction of the building or the complex of which it is a part, or access to the building (for fire fighting purposes), is of such a nature as to require the imposition of such a requirement in order to comply with the intent of this Division and with reasonable fire safety standards.

1003.2.1.2. In determining whether an automatic fire sprinkler system is required, the following formula shall be used:

(a) Determine the gross floor area square footage, per floor under the horizontal projection of the roof above.

(b) Multiply the gross floor area as determined herein by the number of stories. A full basement shall be counted as a story and the floor area of mezzanine(s) shall be added to the gross floor area of the story in which they are located.

(c) If the building's total gross floor area square footage equals or exceeds five thousand (5,000) square feet, an approved automatic fire sprinkler system is required.

(d) For the purposes of determining whether automatic fire sprinklers are required in a building, the installation of occupancy and/or area separation walls will not be considered to create separate buildings.

1003.2.1.3. An approved automatic fire sprinkler system is required in buildings constructed for multi-family residential use consisting of five (5) or more units and having interior corridors regardless of the gross floor area.

1003.2.1.4. Any change in the character of occupancy or in the use of any building with a square footage at or over 5,000 which in the opinion of the fire chief or building official would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety¹, or increased fire risk², shall require the installation of an approved automatic fire sprinkler system.

1003.2.1.5. When an existing building at or over 5,000 square feet undergoes improvements to the building in excess of 50 percent of the current building valuation as established by the city adopted edition of the Uniform Building Code, the installation of an approved automatic sprinkler system is required.

1003.2.1.6. When an existing, nonsprinklered building's square footage is increased to or over 5,000 square feet, the installation of an approved automatic sprinkler system is required." (Ord. No. 23.95, 11/28/95.)

1003.2.1.7. Installation of automatic sprinkler systems shall comply with NFPA 13, 13R, 13D, 24, the city of Mountain View "Automatic Fire Sprinkler Requirements" and other nationally recognized standards.

Definition only—Not limited to:

¹ **Life Safety**—Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting system due to increased occupant loads, large schools/day-care facilities, large residential care facilities with nonambulatory clients.

² **Fire Risks**—High piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flame).

Section 9. Section 14.5 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.5. Article 2, Definitions amended.

Article 2 of the Uniform Fire Code is amended to include the following definitions and shall read:

Other Health Hazard Material is a hazardous material which affects target organs of the body, including, but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease

hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage) or teratogens (effects on fetuses). Other health hazard materials additionally include carcinogens and radioactive materials. See also Section 209—Health Hazard.

Refrigerant Circuit shall consist of all portions of a system that contain refrigerant, high and low pressure.

Semiconductor Fabrication Facility or Comparable Manufacturing, Research and Development Areas is a building or portion of a building classified as a Group H Occupancy in which electrical circuits or devices are created.

Waste Oil is defined as those waste liquids resulting from the use of Class III-B combustible fluids such as waste motor oil, hydraulic oil, lubricating oil, brake fluids and transmission fluids. It shall not include the products classified as Class I, II or III-A liquids or corrosives, toxic or highly toxic materials as defined in Article 80.

Workstation is a defined space or independent principal piece of equipment using hazardous materials where a specific function, laboratory procedure or research activity occurs. Approved or listed hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, electrical devices, and other processing and scientific equipment.

Section 10. Section 14.9 of Article I of Chapter 14 of the Mountain View City Code is hereby deleted in its entirety.

Section 11. Section 14.10 of Article I of Chapter 14 of the Mountain View City Code is hereby deleted in its entirety.

Section 12. Section 14.10.1 of Article I of Chapter 14 of the Mountain View City Code is hereby deleted in its entirety.

Section 13. Section 14.10.2 of Article I of Chapter 14 of the Mountain View City Code is hereby deleted in its entirety.

Section 14. Section 14.10.3 of Article I of Chapter 14 of the Mountain View City Code is hereby deleted in its entirety.

Table 8004.2-A. Delete. (Ord. No. 8.99, 5/25/99.)

Section 15. Section 14.11 of Article I of Chapter 14 of the Mountain View City Code is amended to read:

SEC. 14.11. Article 81, Section 8102.4 amended.

Article 81, Section 8102.4 is amended to read as follows:

8102.4. Fire Sprinklers. Fire sprinkler systems shall be provided in accordance with Sections 8103, 8104 and 1003.2.1. (Ord. No. 23.95, 11/28/95; Ord. No. 8.99, 5/25/99.)

Section 16. Section 14.13 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.13. Article 10, Section 1003.2.3.3 amended.

Article 10, Section 1003.2.3.3 of the Uniform Fire Code is amended as follows:

"Sec. 1003.2.3.3. Exhibition and display rooms. An automatic sprinkler system shall be installed in Group A Occupancies which have more than 5,000 square feet (112m²) of the floor area which can be used for exhibition or display purposes." (Ord. No. 23.95, 11/28/95.)

Section 17. Section 14.14 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.14. Article 10, Section 1004.3 deleted.

Article 10, Section 1004.3 of the Uniform Fire Code is deleted in its entirety. (Ord. No. 23.95, 11/28/95.)

Section 18. Section 14.15 of Article I of Chapter 14 of the Mountain View City Code is amended to read:

SEC. 14.15. Part IX—Appendices amended.

Part IX—Appendices, is amended to read as follows:

"Appendix VII. Fee Schedule.

a. The fees for the primary inspection, first reinspection and any inspection thereafter shall be established by council resolution;

b. The fees for special inspections of temporary installations/events shall be established by council resolution. These shall include, but not be limited to: fireworks displays, pyrotechnic displays, temporary membrane structures (tents, canopies), carnivals, parades, fairs, haunted houses, Christmas tree lots, pumpkin patches, etc.

c. The fees for fire permits, as described in Section 105.8, shall be established by council resolution;

d. Late fees (130 days past due) for fire permits, as described in Section 105.8, shall be established by council resolution.

e. Maintenance fees for fire protection or extinguishing systems shall be established by council resolution. These shall include, but not be limited to: fire alarm systems, sprinkler systems, standpipe systems, hood and duct systems, private fire hydrants, etc.

Section 19. Section 14.16 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.16. Article 13, Section 1302.3 amended.

Article 13, Section 1302.3 of the Uniform Fire Code is amended to read as follows:

1302.3. False Alarms. It shall be unlawful for any person to give, signal or transmit or for any person to cause or permit to be given, signaled or transmitted in any manner any false alarm. The fee for such false alarm shall be set by council resolution. (Ord. No. 23.95, 11/28/95.)

Section 20. Section 14.17 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.17. Article 51, Section 5101.1.1 amended.

Section 5101.1.1 of the Uniform Fire Code is amended to read as follows:

5101.1.1 General. Semiconductor fabrication facilities and comparable manufacturing, research and development areas classified as Group H Occupancies shall be in accordance with Article 51 and the Building Code.

The use, storage and handling of hazardous materials in semiconductor fabrication facilities classified as Group H Occupancies shall be in accordance with Article 51, other applicable provisions of the Uniform Fire and Building Codes.

Section 21. Section 14.18 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.18. Article 63, Section 6301 amended.

Section 6301 of the Uniform Fire Code is amended to read as follows:

SECTION 6301—SCOPE

Refrigeration unit and system installations having a refrigerant circuit containing more than 220 pounds (100kg) of Group A1 or 30 pounds (13.6kg) of any other group refrigerant shall be in accordance with Article 63 and the Mechanical Code. See Appendix VI-J for refrigerant group descriptions. See also Sections 8001.1.2, 8001.16.7 and 8002.

Section 22. Section 14.19 of Article I of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.19. Article 63, Section 6303 amended.

Section 6303 of the Uniform Fire Code is amended to read as follows:

SECTION 6303—DEFINITIONS

For definitions of IMMEDIATELY DANGEROUS TO LIFE AND HEALTH (IDLH), LOWER FLAMMABILITY LIMIT (LFL) PERMISSIBLE EXPOSURE LIMIT (PEL) AND REFRIGERANT AND REFRIGERANT CIRCUIT, see Article 2. For refrigerant groups, see Appendix VI-J.

Section 23. Section 14.20 of Article I of Chapter 14 of the Mountain View City Code is amended to read:

SEC. 14.20. Article 82, Section 8204.2 amended.

Article 82, Section 8204.2 of the Uniform Fire Code is amended to read as follows:

8204.2. Maximum Capacity within Established Limits. Liquefied Petroleum Gas (LPG) shall not be permitted within the city limits where natural gas mains exist. Upon the installation of natural gas mains, conversion from LPG to natural gas must be made within thirty (30) days of the installation of the mains. When an area is annexed to the city and no natural gas mains exist, the use of LPG may be continued until natural gas mains are installed. If natural gas mains exist within the area of annexation, conversion from LPG to natural gas shall be made within thirty (30) days of annexation.

Exception: Installations of LPG tanks may be permitted within the city limits if used for: (1) emergency standby power supply; (2) filling of portable containers for retail sales; or (3) industrial operators where natural gas would not provide a workable substitute. (Ord. No. 8.70, 3/30/70; Ord. No. 26.77, 3/28/77; Ord. No. 24.83, 12/13/83; Ord. No. 16.92, 6/9/92; Ord. No. 23.95, 11/28/95; Ord. No. 8.99, 5/25/99.)

Section 24. Section 14.21 of Article I of Chapter 14 of the Mountain View City Code is amended to read:

SEC. 14.21. Article 77, Section 7701.7.2, amended.

Article 77, Section 7701.7.2 of the Uniform Fire Code is amended to read as follows:

7701.7.2. Limits established by law. Storage of explosives and blasting agents is prohibited at any location within the City of Mountain View other than that area specifically allowed by the city zoning ordinance, except for temporary storage for use in connection with approved blasting operations, as approved by the fire chief. (Ord. No. 8.70, 3/30/70; Ord. No. 26.77, 3/28/77; Ord. No. 24.83, 12/13/83; Ord. No. 16.92, 6/9/92; Ord. No. 23.95, 11/28/95; Ord. No. 8.99, 5/25/99.)

Section 25. Section 14.23 of Article II of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.23. Article 79, Section 7901.2.2 amended.

Section 7901.2.2 of the Uniform Fire Code is amended by adding the definition of temporary:

Temporary shall not exceed one year.

Section 26. Section 14.24 of Article II of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.24. Article 79, Section 7901.3.2 amended.

Section 7901.3.2 of the Uniform Fire Code is amended to read as follows:

7901.3.2. Plans. Plans shall be submitted with each application for a permit to store liquids outside of buildings in drums and tanks. The plans shall indicate the method of storage, quantities to be stored, distances from buildings and property lines,

accessways, fire protection facilities and provisions for spill control and secondary containment. (Ord. No. 8.99, 5/25/99.)

Section 27. Section 14.25 of Article II of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.25. Article 79, Section 7902.2.2 amended.

Section 7902.2.2 of the Uniform Fire Code is amended to read as follows:

7902.2.2.1 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited within any portion of the City of Mountain View, now or hereafter existing.

EXCEPTIONS:

1. Double-wall steel aboveground tanks not exceeding 660-gallon capacity used for the storage of diesel fuel (including integral diesel fuel storage tanks) to power listed generators or fire pumps. Tanks of 0- to 660-gallon capacity shall be located a minimum of ten (10) feet from any building and property line which is or can be built upon unless protected by an unpierced two (2) hour fire-resistive wall extending not less than thirty (30) inches above and to the sides of the storage area.

2. Double-wall protected aboveground storage tanks storing diesel fuel that are used to power listed generators or fire pumps shall not exceed 4,000 gallons individual capacity and 16,000 gallons aggregate capacity. Tanks of 661 to 4,000-gallon capacity shall be located a minimum of ten (10) feet from any building and fifteen (15) feet from a property line which is or can be built upon unless protected by an unpierced two (2) hour fire-resistive wall extending not less than thirty (30) inches above and to the sides of the storage area. Tanks shall be installed in accordance with Article 52 as amended.

7902.2.2.2 Locations of tanks with pressures 2.5 psig (17.2 kPa) or less. Aboveground tanks operating at pressures not exceeding 2.5 psig (17.2 kPa) for storage of Class I, II or II-A liquids which are designed with a weak roof-to-shell seam or equipped with emergency venting devices limiting pressures to 2.5 psig (17.2 dPa), shall be located in accordance with Table 7902.2-A.

EXCEPTIONS:

1. Vertical tanks having a weak roof-to-shell seam and storing Class II-A liquids are allowed to be located at one-half the distances specified in Table 7902.2-A, provided that the tanks are not within a diked area or drainage path for a tank storing Class I or II liquids.

2. Liquids with boilover characteristics and unstable liquids. See Sections 7902.2.2.4 and 7902.2.2.5.

3. Double-wall aboveground tanks used for the storage of diesel fuel to power listed generators or fire pumps. See Section 7902.2.2.1.

Section 28. Section 14.26 of Article II of Chapter 14 of the Mountain View City Code is added to read:

SEC. 14.26. Article 80, Section 8001.11.8 amended.

Section 8001.11.8 of the Uniform Fire Code is amended as follows:

8001.11.8. Separation of Incompatible Materials. Incompatible materials in storage and storage of materials incompatible with materials in use shall be separated in accordance with Section 24.3.0, Chapter 24, MVCC, entitled "Separation of Materials."

Section 29. Section 14.30 of Article II of Chapter 14 of the Mountain View City Code is amended to read:

SEC. 14.30. Article 78, Section 7801.1 amended.

Article 78, Section 7801.1 of the Uniform Fire Code, relating to fireworks, is amended as follows:

"7801.1. Scope. Fireworks and the use, handling, sale and temporary storage of pyrotechnic special effects material for motion pictures, television and theatrical and group entertainment productions shall be in accordance with Article 78. The manufacture, possession, storage, transportation, handling and use of fireworks, 1.3G and the manufacture of fireworks, 1.4G shall also comply with Article 77.

Section 30. Section 14.31 of Article II of Chapter 14 of the Mountain View City Code is amended to read:

SEC. 14.31. Article 78, Section 7802.3 amended.

Article 78, Section 7802.3 of the Uniform Fire Code is amended to read as follows:

7802.3. Prohibition. The manufacturing, possession, storage, sale, use and handling of fireworks, including those classified by the California state fire marshal as Safe and Sane fireworks, is prohibited within Mountain View city limits.

EXCEPTIONS:

1. Manufacturing of fireworks in accordance with Section 7704 when allowed by the fire chief under special permits when not otherwise prohibited by applicable local or state laws, ordinances and regulations.
2. Storage of fireworks in accordance with the requirements for low explosives in Section 7702.
3. Storage of fireworks, 1.4G in accordance with the Building Code.
4. Use and handling of fireworks for display in accordance with Section 7802.4.

Section 31. Section 14.51 of Article III of Chapter 14 of the Mountain View City Code is amended to read:

SEC. 14.51. Arrests and issuance of citations.

a. The fire chief, fire marshal, deputy fire marshals, and other designated fire department personnel of the city may make arrests for violations of this code under the

authority set forth by Sections 830.3, 836.5 and 853.6 of the Penal Code of the state. The fire chief, the fire marshal, and deputy fire marshals, and other designated fire department personnel who have the discretionary duty to enforce a statute or ordinance may, as provided by law, arrest a person without a warrant whenever any such officer has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the officer's presence which he or she has the discretionary duty to enforce and may issue a notice to appear and release such persons on his or her written promise to appear in court.

b. **Hazardous materials enforcement.** Those employees of the city, including, but not limited to, the fire marshal and hazardous materials specialists, who have the duty of enforcing this code, city and state laws pertaining to hazardous and toxic materials, are hereby authorized, in accordance with and pursuant to California Penal Code Sections 836.5 and 853.6, to arrest persons for violations of such ordinances or statutes and to issue Notice to Appear citations as provided by law. (Ord. No. 24.83, 12/13/83; Ord. No. 3.88, 1/26/88; Ord. No. 23.95, 11/28/95; Ord. No. 8.99, 5/25/99.)

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The foregoing ordinance was regularly introduced at the Special Meeting of the City Council of the City of Mountain View, duly held on the 10th day of September, 2002, and thereafter adopted at the Special Meeting of said Council, duly held on the 24th day of September, 2002, by the following roll call vote:

AYES: Councilmembers Kasperzak, Pear, Stasek, Zoglin and Mayor Lieber

NOES: None

ABSENT: Councilmember Faravelli

NOT VOTING: None

ATTEST: APPROVED:

ANGELITA M. SALVADOR
CITY CLERK

SALLY J. LIEBER
MAYOR

I do hereby certify that the foregoing ordinance was passed and adopted by the City Council of the City of Mountain View at a Special Meeting held on the 24th day of September, 2002, by the foregoing vote, and was published in the *San Jose Post Record* by reference on the 20th day of September, 2002, and posted in three prominent places in said City.

City Clerk
City of Mountain View

RG/9/ORD
884-09-10-02O^